

# Safeguarding Policies and Procedures

## Overview

Safeguarding describes the steps taken to protect people from harm, including trustees, staff, and volunteers, and other people who come into contact with an organisation. While safeguarding principally refers to the prevention of harm, it also encompasses practices to handle incidents and/or complaints.

SMHC seeks to serve the mental health needs of people from the Showmen community. The policies and procedures outlined in this document are in place to ensure the safety of those who access and interact with our service.

## General Safeguarding Policies

As well as the specific policies laid out in the document below, the SMHC also has these general policies in place;

All trustees, staff, and, volunteers must have completed a standard DBS check. These checks must be renewed annually.

All trustees must complete a suicide first aid training course. All trustees should keep up to date with the latest information and research around mental health.

All trustees, staff, and, volunteers must sign the SMHC's Code of Conduct, acknowledging their understanding of the Safeguarding Policies and Procedures in place.

There is at least one trustee designated as the Safeguarding Lead at all times (See Appendix 1). During events, additional safeguarding leads may be appointed.

## Data Protection Policy and Procedures

Service users information (including but not limited to email addresses, names, and contact numbers) is collected for the purposes of carrying out the charity's activities, and is never given to third party organisations. Data is kept confidentially and stored securely. Electronic files are password protected and kept on computers with protections against hackers and viruses. Service use information is only shared on a 'need to know' basis.

Criminal records check certificates are not stored by SMHC unless there is a dispute about the results of the check. A confidential record is kept of:

- the date the check was completed
- the level and type of check (standard/enhanced/barred list check and the relevant workforce)
- the reference number of the certificate
- the decision made about whether the person was employed (with reasons)

## Confidentiality

The things our service users tell us will be kept in confidence. For the vast majority of cases, SMHC will never break confidentiality with its users. There are sometimes when for everyone's safety we will have to break confidentiality, and then it will only be with appropriate people/organisations.

When would we break confidentiality?

- If the person has clearly stated that they plan to take their life within the next 24 hours, or has already taken action which puts their life in danger, but does not want to seek support themselves and does not give their consent for you to do so – we will call 999.
- The person is planning to take action that will put others at risk (for example, stepping in front of a train) - we will call 999.

We will always discuss breaking confidentiality with the person involved before we share the person's information.

## **Reporting Procedure**

### Recognising Abuse

It can be difficult to recognise what abuse looks like. People do not need to be certain before they speak up. All SMHC's trustees, staff, and volunteers should be aware for potential signs of abuse in its interaction with service users. Please see below for specific signs of abuse in adults at risk, and children.

### Reporting Abuse

Initial reporting of any incident must be sent to the email address of the Charity's Safeguarding Lead: [safeguardshowmen@gmail.com](mailto:safeguardshowmen@gmail.com)

The incident or concern can then be formally recorded. Concerns about safeguarding, including all relevant details, must be recorded. This type of report is classed as an internal incident report. This must be done regardless of whether the concerns are shared with the police or not. Once the internal incident report is made, the safeguard lead will be responsible for deciding whether the report is escalated to the police and/or social care.

A record must be made of:

- the date and time of the incident/disclosure
- the date and time of the report
- the name and role of the person to whom the concern was originally reported and their contact details
- the name and role of the person making the report (if this is different to the above) and their contact details
- the names of all parties who were involved in the incident, including any witnesses
- the name, age and any other relevant information about the person who is the subject of the concern (including, in the case of children, information about their parents or carers and any siblings)
- what was said or done and by whom
- any action taken to look into the matter
- any further action taken (such as a referral being made)

- the reasons why the organisation decided not to refer those concerns to a statutory agency (if relevant).

Any interpretation or inference drawn from what was observed, said or alleged should be clearly recorded as such. The record should always be signed and dated by the person making the report.

Sometimes it will be immediately clear that an incident involves criminal issues and needs to be reported. Sometimes it will be clear what has happened is of concern but not criminal. In some cases, the facts or whether what has happened just may not be clear at the stage you are made aware of it or looking into it. Where it is clear the incident involves criminality, charities are expected to act responsibly and take action to report it to the authorities. In some situations the report may need to be made to a statutory safeguarding or other authority aside from, or as well as, the police. Where a criminal offence has been or has potentially been committed, in the UK, and/or there are safeguarding risks to a child or adult, it should usually be reported to the police force local to where the offence took place. If the incidents have taken place across different police force areas, the charity should initially report the incident to the police force where the primary offence or greatest prevalence of offending took place.

## Safeguarding Adults Policy

**Introduction** Showmen's Mental Health Charity is committed to safeguarding adults in line with national legislation and relevant national and local guidelines. We will safeguard adults by ensuring that our activities are delivered in a way which keeps all adults safe. Showmen's Mental Health Charity is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adult abuse, exploitation or neglect manifests itself; and being willing to report safeguarding concerns. This extends to recognising and reporting harm experienced anywhere, including within our activities, within other organised community or voluntary activities, in the community, in the person's own home and in any care setting. Showmen's Mental Health Charity is committed to best safeguarding practice and to uphold the rights of all adults to live a life free from harm from abuse, exploitation and neglect.

### **Policy Statement**

Showmen's Mental Health Charity believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status. Showmen's Mental Health Charity is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution. Showmen's Mental Health Charity acknowledges that safeguarding is everybody's responsibility and is committed to prevent abuse and neglect through safeguarding the welfare of all adults involved. Showmen's Mental Health Charity recognises that health, well-being, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers, for example, to communication in raising concerns or seeking help. We recognise that these factors can vary at different points in people's lives. Showmen's Mental Health Charity recognises that there is a legal framework within which charities need to work to safeguard adults who

have needs for care and support and for protecting those who are unable to take action to protect themselves, and will act in accordance with the relevant safeguarding adult legislation and with local statutory safeguarding procedures. Actions taken by Showmen's Mental Health Charity will be consistent with the principles of adult safeguarding ensuring that any action taken is prompt, proportionate and that it includes and respects the voice of the adult concerned.

## **Purpose**

The purpose of this policy is to demonstrate the commitment of Showmen's Mental Health Charity to safeguarding adults and to ensure that everyone involved in the Charity is aware of:

- The legislation, policy and procedures for safeguarding adults.
- Their role and responsibility for safeguarding adults.
- What to do or who to speak to if they have a concern relating to the welfare or wellbeing of an adult within the organisation.

## **Scope**

This safeguarding adult policy and associated procedures apply to all individuals involved in Showmen's Mental Health Charity including trustees, staff, and volunteers. They apply to all concerns about the safety of adults whilst taking part in our organisation, its activities and in the wider community.

We expect our partner organisations, including for example, suppliers and sponsors to adopt and demonstrate their commitment to the principles and practice as set out in this Safeguarding Adults Policy and associated procedures.

## **Commitments**

In order to implement this policy, Showmen's Mental Health Charity will ensure that: <sup>[1]</sup><sub>SEP</sub>

- Everyone involved with the Charity is aware of the safeguarding adult procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of an adult.
- Any concern that an adult is not safe is taken seriously, responded to promptly, and followed up in line with the Charity's Safeguarding Adults Policy and Procedures.
- The well-being of those at risk of harm will be put first and the adult actively supported to communicate their views and the outcomes they want to achieve. Those views and wishes will be respected and supported unless there are overriding reasons not to (see the Safeguarding Adults Procedures).
- Any actions taken will respect the rights and dignity of all those involved and be proportionate to the risk of harm.
- Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in line with our Data Protection Policy and Procedures.
- Showmen's Mental Health Charity will cooperate with the Police and the relevant Local Authorities in taking action to safeguard an adult.
- Showmen's Mental Health Charity uses safe recruitment practices and continually assesses the suitability of volunteers and staff to prevent the employment/deployment of unsuitable individuals in this organisation.

- Showmen’s Mental Health Charity shares information about anyone found to be a risk to adults with the appropriate bodies. For example: Disclosure and Barring Service, Services, Police, Local Authority/Social Services.
- When planning activities and events Showmen’s Mental Health Charity includes an assessment of, and risk to, the safety of all adults from abuse and neglect and designates a person who will be in attendance as a safeguarding lead for that event.
- Actions taken under this policy are reviewed by the trustees on an annual basis.
- This policy, related policies, and the Safeguarding Adults Procedures are reviewed no less than on a two yearly basis and whenever there are changes in relevant legislation and/or as a result of any other significant change or event.

## **Implementation**

Showmen’s Mental Health Charity is committed to developing and maintaining its capability to implement this policy and procedures. In order to do so the following will be in place:

- A clear line of accountability within the organisation for the safety and welfare of all adults.
- Access to relevant legal and professional advice.
- Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- A Safeguarding Lead/ Welfare Officer
- A delegated Safeguarding Lead/Welfare Officer for events/trips/camps/ competitions.
- Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
- Codes of conduct for Trustees, Staff, and Volunteers that specify zero tolerance of abuse in any form.
- Risk assessments that specifically include safeguarding of adults.
- Policies and procedures that address the following areas and which are consistent with this Safeguarding Adults policy.

## **Safeguarding Adults Legislation**

Safeguarding Adults in all home nations is compliant with United Nations directives on the rights of disabled people and commitments to the rights of older people. It is covered by:

- The Human Rights Act 1998
- The Data Protection Act 2018
- General Data Protection Regulations 2018

The practices and procedures within this policy are based on the relevant legislation and government guidance.

- England - The Care Act 2014 Care and Support Statutory Guidance (especially chapter 14) 2014
- Wales - Social Services and Well Being Act 2014 Wales Safeguarding Procedures 2019
- Scotland - Adult Support and Protection Act 2007 Adult Support and Protection (Scotland) Act 2007 Code of Practice 2014
- Northern Ireland - Adult Safeguarding Prevention and Protection in Partnership 2015

Each home nation also has legislation about the circumstances in which decisions can be made on behalf of an adult who is unable to make decisions for themselves:

- England and Wales - Mental Capacity Act 2005
- Scotland - Adults with Incapacity Act 2000
- Mental Capacity (Northern Ireland) 2016
- There are specific offences applying to the mistreatment of and sexual offences against adults who do not have Mental Capacity and specific offences where mistreatment is carried out by a person who is employed as a carer: e.g. wilful neglect and wilful mistreatment.
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**Definition of an Adult at Risk**

The Safeguarding Adults legislation creates specific responsibilities on Local Authorities, and the Police to provide additional protection from abuse and neglect to adults at risk. When a Local Authority has reason to believe there is an adult at risk, they have a responsibility to find out more about the situation and decide what actions need to be taken to support the adult. In Scotland and Wales, the Local Authority can gain access to an adult to find out if they are at risk of harm for example, if that access is being blocked by another person. The actions that need to be taken might be by the Local Authority (usually social services) and/or by other agencies, for example the Police. The Local Authority role includes having multi-agency procedures which coordinate the actions taken by different organisations.

**An Adult at risk is**

<p><b>England (Care Act 2014)</b></p> <p>An <b>adult at risk</b> is an individual aged 18 years and over who:</p> <p>(a) has needs for care and support (whether or not the local authority is meeting any of those needs) AND;</p> <p>(b) is experiencing, or at risk of, abuse or neglect, AND;</p> <p>(c) as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.</p>	<p><b>Northern Ireland (Adult Safeguarding Prevention and Protection in Partnership 2015)</b></p> <p>An <b>adult at risk of harm</b> is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect <u>may</u> be increased by their a) personal characteristics and/or b) life circumstances.</p> <p>a) <b>Personal characteristics</b> may include, but are not limited to age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in, the functioning of the mind</p>
<p><b>Scotland (Adult Support and Protection Act 2007)</b></p>	

<p>An <b>adult at risk</b> is an individual aged 16 years and over who:</p> <ol style="list-style-type: none"> <li>is unable to safeguard their own well-being, property, rights or other interests,</li> <li>is at risk of harm, and</li> <li>because they are affected by disability, mental disorder, illness or physical or mental infirmity, is more vulnerable to being harmed than adults who are not so affected.</li> </ol>	<p>or brain.</p> <ol style="list-style-type: none"> <li><b>Life circumstances</b> may include, but are not limited to, isolation, socio-economic factors and environmental living conditions.</li> </ol> <p>An <b>adult in need of protection</b> is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect <u>may</u> be increased by their:</p>
<p><b>Wales (Social Services and Well Being Act 2014)</b></p>	<p>Personal characteristics <i>AND/OR</i> Life circumstances <i>AND</i>;</p>
<p>An <b>adult at risk</b> is an individual aged 18 years and over who:</p> <ol style="list-style-type: none"> <li>is experiencing or is at risk of abuse or neglect, <i>AND</i>;</li> <li>has needs for care and support (whether or not the authority is meeting any of those needs) <i>AND</i>;</li> <li>as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.</li> </ol>	<ol style="list-style-type: none"> <li>who is unable to protect their own well-being, property, assets, rights or other interests; <i>AND</i></li> <li>where the action or inaction of another person or persons is causing, or is likely to cause, him/her to be harmed.</li> </ol> <p>In order to meet the definition of an 'adult in need of protection' either (a) or (b) must be present, in addition to both elements (c), and (d)</p>

## Abuse and Neglect

Abuse is a violation of an individual's human and civil rights by another person or persons. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission or ignorance.

There are different types and patterns of abuse and neglect and different circumstances in which they may take place.

Safeguarding legislation in each home nation lists categories of abuse differently however, they all include the following types of abuse:

- Physical
- Sexual
- Psychological
- Neglect
- Financial

Abuse can take place in any relationship and there are many contexts in which abuse might take place; e.g. Institutional abuse, Domestic Abuse, Forced Marriage, Human Trafficking, Modern Slavery, Sexual Exploitation, County Lines, Radicalisation, Hate Crime, Mate Crime, Cyber bullying, Scams. Some of these are named specifically within home nation legislations. Often the perpetrator is known to the adult and may be in a position of trust and/or power.

## Signs and Indicators of Abuse

An adult may confide to a volunteer or another participant that they are experiencing abuse inside or outside of the organisation's setting. Similarly, others may suspect that this is the case. There are many signs and indicators that may suggest someone is being abused or neglected. There may be other explanations, but they should not be ignored. The signs and symptoms include but are not limited to:

- Unexplained bruises or injuries – or lack of medical attention when an injury is present.
- Person has belongings or money going missing.
- Person is not attending / no longer enjoying their sessions. You may notice that a participant in a team has been missing from practice sessions and is not responding to reminders from team members or coaches.
- Someone losing or gaining weight / an unkempt appearance. Their appearance becomes unkempt, does not wear suitable clothes and there is a deterioration in hygiene.
- A change in the behaviour or confidence of a person. For example, a participant may be looking quiet and withdrawn when their brother comes to collect them from sessions in contrast to their personal assistant whom they greet with a smile.
- Self-harm.
- A fear of a particular group of people or individual.
- A parent/carer always speaks for the person and doesn't allow them to make their own choices
- They may tell you / another person they are being abused – i.e. a disclosure

## Wellbeing Principle

The concept of 'well-being' is threaded throughout UK legislation and is part of the Law about how health and social care is provided. Our well-being includes our mental and physical health, our relationships, our connection with our communities and our contribution to society. Being able to live free from abuse and neglect is a key element of well-being.

The legislation recognises that statutory agencies have sometimes acted disproportionately in the past. For example, removing an adult at risk from their own home when there were other ways of preventing harm. In the words of Justice Mumby '*What good is it making someone safe when we merely make them miserable?*' What Price Dignity? (2010) For that reason any actions taken to safeguard an adult must take their whole well-being into account and be proportionate to the risk of harm.

## Person Centred Safeguarding/ Making Safeguarding Personal

The legislation also recognises that adults make choices that may mean that one part of our well-being suffers at the expense of another – for example we move away from friends and family to take a better job. Similarly, adults can choose to risk their personal safety; for example, to provide care to a partner with dementia who becomes abusive when they are disorientated and anxious. None of us can make these choices for another adult. If we are supporting someone to make choices about their own safety we need to understand 'What matters' to them and what outcomes they want to achieve from any



actions agencies take to help them to protect themselves. The concept of ‘Person Centred Safeguarding’/‘Making Safeguarding Personal’ means engaging the person in a conversation about how best to respond to their situation in a way that enhances their involvement, choice and control, as well as improving their quality of life, well-being and safety. Organisations work to support adults to achieve the outcomes they want for themselves. The adult’s views, wishes, feelings and beliefs must be taken into account when decisions are made about how to support them to be safe. There may be many different ways to prevent further harm. Working with the person will mean that actions taken help them to find the solution that is right for them. Treating people with respect, enhancing their dignity and supporting their ability to make decisions also helps promote people's sense of self-worth and supports recovery from abuse.

If someone has difficulty making their views and wishes known, then they can be supported or represented by an advocate. This might be a safe family member or friend of their choice or a professional advocate (usually from a third sector organisation).

**Table 1 The Principles of Adult Safeguarding in each home nation**

<p><b>Wales (Social Services and Well Being Act 2014)</b></p> <p><b>The Act’s principles are:</b></p> <ul style="list-style-type: none"> <li>• <b>Responsibility</b> - Safeguarding is everyone’s responsibility.</li> <li>• <b>Well-being</b> - Any actions taken must safeguard the person’s well-being.</li> <li>• <b>Person-centred approach</b> - Understand what outcomes the adult wishes to achieve and what matters to them.</li> <li>• <b>Voice and control</b> - Expect people to know what is best for them and support them to be involved in decision making about their lives.</li> <li>• <b>Language</b> - Make an active offer of use of the Welsh language and use professional interpreters where other languages are needed.</li> <li>• <b>Prevention</b> - It is better to take action before harm occurs.</li> </ul>
<p><b>Scotland (Adult Support and Protection Act 2007)</b></p> <p><b>The Act’s principles are:</b></p> <p>The overarching principle underlying Part 1 of the Act is that any intervention in an individual's affairs should provide benefit to the individual and should be the least restrictive option of those that are available which will meet the purpose of the intervention.</p> <p>This is supported by a set of guiding principles which, together with the overarching principle, must be taken account of when performing functions under Part 1 of the Act. These are:</p> <ul style="list-style-type: none"> <li>• The wishes and feelings of the adult at risk (past and present);</li> <li>• The views of other significant individuals, such as the adult's nearest relative; their primary carer, guardian, or attorney; or any other person with an interest in the adult's well-being or property;</li> <li>• The importance of the adult taking an active part in the performance of the function under the Act;</li> <li>• Providing the adult with the relevant information and support to enable them to participate as fully as possible;</li> <li>• The importance of ensuring that the adult is not treated less favourably than another adult in a comparable situation; and</li> </ul>

- The adult's abilities, background and characteristics (including their age, sex, sexual orientation, gender, religious persuasion, racial origin, ethnic group and cultural and linguistic heritage).

### Northern Ireland (Adult Safeguarding Prevention and Protection in Partnership 2015)

#### The Act's principles are:

- **A Rights-Based Approach** – To promote and respect an adult's right to be safe and secure; to freedom from harm and coercion; to equality of treatment; to the protection of the law; to privacy; to confidentiality; and freedom from discrimination.
- **An Empowering Approach** – To empower adults to make informed choices about their lives, to maximise their opportunities to participate in wider society, to keep themselves safe and free from harm and enabled to manage their own decisions in respect of exposure to risk.
- **A Person-Centred Approach** – To promote and facilitate full participation of adults in all decisions affecting their lives taking full account of their views, wishes and feelings and, where appropriate, the views of others who have an interest in safety and well-being.
- **A Consent-Driven Approach** – To make a presumption that the adult has the ability to give or withhold consent; to make informed choices; to help inform choice through the provision of information, and the identification of options and alternatives; to have particular regard to the needs of individuals who require support with communication, advocacy or who lack the capacity to consent; and intervening in the life of an adult against his or her wishes only in particular circumstances, for very specific purposes and always in accordance with the law.
- **A Collaborative Approach** – To acknowledge that adult safeguarding will be most effective when it has the full support of the wider public and of safeguarding partners across the statutory, voluntary, community, independent and faith sectors working together and is delivered in a way where roles, responsibilities and lines of accountability are clearly defined and understood. Working in partnership and a person-centred approach will work hand-in-hand.

### England (Care Act 2014)

#### The Act's principles are:

- **Empowerment** - People being supported and encouraged to make their own decisions and informed consent.
- **Prevention** – It is better to take action before harm occurs.
- **Proportionality** – The least intrusive response appropriate to the risk presented.
- **Protection** – Support and representation for those in greatest need.
- **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
- **Accountability** – Accountability and transparency in delivering safeguarding.

## Mental Capacity and Decision Making

We make many decisions every day, often without realising. UK Law assumes that all people over the age of 16 have the ability to make their own decisions, unless it has been proved that they can't. It also gives us the right to make any decision that we need to make and gives us the right to make our own

decisions even if others consider them to be unwise. Most adults have the ability to make their own decisions given the right support however, some adults with care and support needs have the experience of other people making decisions about them and for them.

Some people can only make simple decisions like which colour T-shirt to wear or can only make decisions if a lot of time is spent supporting them to understand the options. If someone has a disability that means they need support to understand or make a decision this must be provided. A small number of people cannot make any decisions. Being unable to make a decision is called “lacking mental capacity”. Mental capacity refers to the ability to make a decision at the time that decision is needed. A person’s mental capacity can change. If it is safe/possible to wait until they are able to be involved in decision making or to make the decision themselves. For example:

- A person with epilepsy may not be able to make a decision following a seizure.
- Someone who is anxious may not be able to make a decision at that point.
- A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

Mental Capacity is important for safeguarding for several reasons. Not being allowed to make decisions one is capable of making is abuse. For example, a disabled adult may want to take part in an activity but their parent who is their carer won’t allow them to and will not provide the support they would need. Conversely the adult may not seem to be benefiting from an activity other people are insisting they do. Another situation is where an adult is being abused and they are scared of the consequences of going against the views of the person abusing them. It is recognised in the law as coercion and a person can be seen not to have mental capacity because they cannot make ‘free and informed decisions’. Mental Capacity must also be considered when we believe abuse or neglect might be taking place. It is important to make sure an ‘adult at risk’ has choices in the actions taken to safeguard them, including whether or not they want other people informed about what has happened, however, in some situations the adult may not have the mental capacity to understand the choice or to tell you their views. Each home nation has legislation that describes when and how we can make decisions for people who are unable to make decisions for themselves. The principles are the same.

- We can only make decisions for other people if they cannot do that for themselves at the time the decision is needed.
- If the decision can wait, wait – e.g. to get help to help the person make their decision or until they can make it themselves.
- If we have to make a decision for someone else then we must make the decision in their best interests (for their benefit) and take into account what we know about their preferences and wishes.
- If the action we are taking to keep people safe will restrict them then we must think of the way to do that which restricts to their freedom and rights as little as possible.

Many potential difficulties with making decisions can be overcome with preparation. A person needing support to help them make decisions will ordinarily be accompanied by someone e.g. a family member or formal carer whose role includes supporting them to make decisions. If a person who has a lot of difficulty making their own decisions is thought to be being abused or neglected you will need to refer the situation to the Local Authority, and this should result in health or social care professionals making an assessment of mental capacity and/or getting the person the support they need to make decisions.

There may be times when a charity needs to make decisions on behalf of an individual in an emergency. Decisions taken in order to safeguard an adult who cannot make the decision for themselves could include:

- Sharing information about safeguarding concerns with people that can help protect them.
- Stopping them being in contact with the person causing harm.

## **Recording and Information Sharing**

According to Data Protection principles, records containing personal information should be:

- adequate, relevant and not excessive for the purpose(s) for which they are held
- accurate and up to date
- only kept for as long as is necessary

(Information Commissioner's Office, 2020) Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of abuse. Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored confidentially with access only to those with a need to know. Sharing information, with the right people, is central to good practice in safeguarding adults. However, information sharing must only ever be with those with a 'need to know'. This does not automatically include the persons spouse, partner, adult, child, unpaid or paid carer. Information should only be shared with family and friends and/or carers with the consent of the adult or if the adult does not have capacity to make that decision and family/ friends/ carers need to know in order to help keep the person safe.

The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation. For example:

- Anyone who has a concern about harm can make a report to an appropriate person within the same organisation
- Case management meetings can take place to agree to co-ordinate actions by the organisation

There are also many situations in which it is perfectly legal to share information about adult safeguarding concerns outside the organisation. Importantly personal information can be shared with the consent of the adult concerned. However, the adult may not always want information to be shared. This may be because they fear repercussions from the person causing harm or are scared that they will lose control of their situation to statutory bodies or because they feel stupid or embarrassed. Their wishes should be respected unless there are over-riding reasons for sharing information. The circumstances when we need to share information without the adult's consent include those where:

- it is not safe to contact the adult to gain their consent – i.e. it might put them or the person making contact at further risk.
- you believe they or someone else is at risk, including children.
- you believe the adult is being coerced or is under duress.
- it is necessary to contact the police to prevent a crime, or to report that a serious crime has been committed.

- the adult does not have mental capacity to consent to information being shared about them.
- the person causing harm has care and support needs.
- the concerns are about an adult at risk living in Wales or Northern Ireland (where there is a duty to report to the Local Authority).

When information is shared without the consent of the adult this must be explained to them, when it is safe to do so, and any further actions should still fully include them. If you are in doubt as to whether to share information seek advice e.g. seek legal advice and/or contact the Local Authority and explain the situation without giving personal details about the person at risk or the person causing harm. Any decision to share or not to share information with an external person or organisation must be recorded together with the reasons to share or not share information.

### **Multi-Agency Working**

Safeguarding adults' legislation gives the lead role for adult safeguarding to the Local Authority. However, it is recognised that safeguarding can involve a wide range of organisations. Charities may need to cooperate with the Local Authority and the Police including to:

- Provide more information about the concern you have raised.
- Provide a safe venue for the adult to meet with other professionals e.g. Police/Social Workers/Advocates.
- Attend safeguarding meetings.
- Coordinate internal investigations (e.g. complaints, disciplinary) with investigations by the police or other agencies.
- Share information about the outcomes of internal investigations.

## Safeguarding Children Policy and Procedures

**Introduction** Showmen's Mental Health Charity is committed to safeguarding children in line with national legislation and relevant national and local guidelines. We will safeguard children by ensuring that our activities are delivered in a way which keeps all children safe. Showmen's Mental Health Charity is committed to creating a culture of zero-tolerance of harm to children which necessitates: the recognition of children who may be at risk and the circumstances which may increase risk; knowing how child abuse, exploitation or neglect manifests itself; and being willing to report safeguarding concerns.

This extends to recognising and reporting harm experienced anywhere, including within our activities, within other organised community or voluntary activities, in the community, in the child's own home and in any care setting. Showmen's Mental Health Charity is committed to best safeguarding practice and to uphold the rights of all children to live a life free from harm from abuse, exploitation and neglect.

### **Policy Statement**

Showmen's Mental Health Charity believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status. Showmen's Mental Health Charity is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution. Showmen's Mental Health Charity acknowledges that safeguarding is everybody's responsibility and is committed to prevent abuse and neglect through safeguarding the welfare of all children involved. Showmen's Mental Health Charity recognises that there is a legal framework within which charities need to work to safeguard children, and will act in accordance with the relevant safeguarding child legislation and with local statutory safeguarding procedures. Actions taken by Showmen's Mental Health Charity will be consistent with the principles of child safeguarding ensuring that any action taken is prompt and proportionate

### **Purpose**

The purpose of this policy is to demonstrate the commitment of Showmen's Mental Health Charity to safeguarding children and to ensure that everyone involved in the Charity is aware of:

- The legislation, policy and procedures for safeguarding children.
- Their role and responsibility for safeguarding children.
- What to do or who to speak to if they have a concern relating to the welfare or wellbeing of a child.

### **Scope**

This Safeguarding Children Policy and associated procedures apply to all individuals involved in Showmen's Mental Health Charity including trustees, staff, and volunteers. They apply to all concerns about the safety of children whilst taking part in our organisation, its activities and in the wider community.

We expect our partner organisations, including for example, suppliers and sponsors to adopt and demonstrate their commitment to the principles and practice as set out in this Safeguarding Children Policy and associated procedures.

## **Commitments**

In order to implement this policy, Showmen's Mental Health Charity will ensure that:

- Everyone involved with the Charity is aware of the safeguarding children procedures and knows what to do and who to contact if they have a concern relating to the welfare or wellbeing of a child.
- Any concern that a child is not safe is taken seriously, responded to promptly, and followed up in line with the Charity's Safeguarding Children Policy and Procedures.
- The well-being of those at risk of harm will be put first.
- Confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored in line with our Data Protection Policy and Procedures.
- Showmen's Mental Health Charity will cooperate with the Police and the relevant Local Authorities in taking action to safeguard a child.
- Showmen's Mental Health Charity uses safe recruitment practices and continually assesses the suitability of volunteers and staff to prevent the employment/deployment of unsuitable individuals in this organisation.
- Showmen's Mental Health Charity shares information about anyone found to be a risk to children with the appropriate bodies. For example: Disclosure and Barring Service, Services, Police, Local Authority/Social Services.
- When planning activities and events Showmen's Mental Health Charity includes an assessment of, and risk to, the safety of all children from abuse and neglect and designates a person who will be in attendance as a safeguarding lead for that event.
- Actions taken under this policy are reviewed by the trustees on an annual basis.
- This policy, related policies, and the Safeguarding Children Procedures are reviewed no less than on a two yearly basis and whenever there are changes in relevant legislation and/or government guidance as required by the Local Safeguarding Board, or as a result of any other significant change or event.

## **Implementation**

Showmen's Mental Health Charity is committed to developing and maintaining its capability to implement this policy and procedures. In order to do so the following will be in place:

- A clear line of accountability within the organisation for the safety and welfare of children.

- Access to relevant legal and professional advice.
- Safeguarding Children procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
- A Safeguarding Lead/ Welfare Officer (see Appendix 1).
- A delegated Safeguarding Lead/Welfare Officer for events/trips/camps/ competitions.
- Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of children, including arrangements for sharing information.
- Codes of conduct for Trustees, Staff, and Volunteers that specify zero tolerance of abuse in any form.
- Risk assessments that specifically include safeguarding of children.
- Policies and procedures that address the following areas and which are consistent with this Safeguarding Children policy.

## **Legal Framework**

The Children Act 1989 provides the legislative framework for child protection in England. Key principles established by the Act include:

- the paramount nature of the child's welfare
- the expectations and requirements around duties of care to children.

This is strengthened by the Children Act 2004, which encourages partnerships between agencies and creates more accountability, by:

- placing a duty on local authorities to appoint children's services members who are ultimately accountable for the delivery of services
- placing a duty on local authorities and their partners to co-operate in safeguarding and promoting the wellbeing of children and young people.

Both of these acts are amended by the Children and Social Work Act 2017, which received Royal Assent on 27 April 2017. Key provisions include:

- the Child Safeguarding Practice Review Panel was established to review and report on serious child protection cases that are complex or of national importance (Sections 12 to 15).
- the previous model of Local Safeguarding Children's Boards (LSCBs) has been replaced by local safeguarding partners who will publish reports on local safeguarding practice reviews (Section 17).
- child death review partners are required to review each death of a child normally resident in their area and identify matters that are relevant to public health and safety and children locally (Section 24).



- local authorities must appoint personal advisers for care leavers up to the age of 25 (Section 3).
- Social Work England is created as a regulatory body for the social work profession in England (Section 36).
- relationships education will be provided to primary school children and relationships and sex education will be provided (instead of sex education) in secondary schools (Section 34).

## Signs of abuse

Many of the signs that a child is being abused are the same regardless of the type of abuse. Anyone working with children or young people needs to be able to recognise the signs. These include a child:

- being afraid of particular places or making excuses to avoid particular people
- knowing about or being involved in 'adult issues' which are inappropriate for their age or stage of development, for example alcohol, drugs and/or sexual behaviour
- having angry outbursts or behaving aggressively towards others
- becoming withdrawn or appearing anxious, clingy or depressed
- self-harming or having thoughts about suicide
- showing changes in eating habits or developing eating disorders
- regularly experiencing nightmares or sleep problems
- regularly wetting the bed or soiling their clothes
- running away or regularly going missing from home or care
- not receiving adequate medical attention after injuries.

These signs do not necessarily mean that a child is being abused. There may well be other reasons for changes in a child's behaviour such as a bereavement or relationship problems between parents or carers. If you have any concerns about a child's wellbeing, you should report them using the reporting procedure as outlined in this document.

## Recording and Information Sharing

Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of abuse. Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored confidentially with access only to those with a need to know. Sharing information, with the right people, is central to good practice in safeguarding children. However, information sharing must only ever be with those with a 'need to know'.

The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation, for example, to the appointed Safeguarding Lead.

If you think a child is in immediate danger, contact the police on 999. If you're worried about a child but they are not in immediate danger, you should share your concerns.

- Liaise with the Safeguarding Lead

- Contact the NSPCC Helpline on 0808 800 5000 or by emailing help@nspcc.org.uk
- Contact your local child protection services. Their contact details can be found on the website for the local authority the child lives in.
- Contact the police.

Services will risk assess the situation and take action to protect the child as appropriate either through statutory involvement or other support. This may include making a referral to the local authority. Any decision to share or not to share information with an external person or organisation must be recorded together with the reasons to share or not share information.

According to Data Protection principles, records containing personal information should be:

- adequate, relevant and not excessive for the purpose(s) for which they are held
- accurate and up to date
- only kept for as long as is necessary

(Information Commissioner's Office, 2020)

The introduction of the General Data Protection Regulation (GDPR) in 2018 does not change the way child protection records should be stored and retained.

## **Multi-Agency Working**

Safeguarding children's' legislation gives the lead role for child safeguarding to the Local Authority. However, it is recognised that safeguarding can involve a wide range of organisations. Charities may need to cooperate with the Local Authority and the Police including to:

- Provide more information about the concern you have raised.
- Provide a safe venue for the child to meet with other professionals e.g. Police/Social Workers/Advocates.
- Attend safeguarding meetings.
- Coordinate internal investigations (e.g. complaints, disciplinary) with investigations by the police or other agencies.
- Share information about the outcomes of internal investigations.

## **Appendix 1 - Example Role Description: Safeguarding Lead**

The designated person within the charity has a primary responsibility for putting into place procedures to safeguard adults at risk and for managing concerns about adults at risk.

Duties and responsibilities include:

- Working with others within the organisation to create a positive inclusive environment.
- Play a lead role in developing and establishing the organisation's approach to safeguarding adults and in maintaining and reviewing the organisation's implementation plan for safeguarding adults in line with current legislation and best practice.
- Coordinate the dissemination of the safeguarding adult policy, procedures and resources throughout the organisation.
- Contribute to ensuring other policies and procedures are consistent with the organisation's commitment to safeguarding adults.
- Receive reports of and manage cases of poor practice and abuse reported to the organisation – including an appropriate recording system.
- Manage liaison with, and referrals to, external agencies for example adult social-care services and the police.
- Create a central point of contact for internal and external individuals and agencies concerned about the safety of adults within the organisation.
- Represent the organisation at external meetings related to safeguarding.

## **Appendix 2 – Sources of Information and Support**

### **Action on Elder Abuse**

A national organisation based in London. It aims to prevent the abuse of older people by raising awareness, encouraging education, promoting research and collecting and disseminating information.  
Tel: 020 8765 7000 Email: [enquiries@elderabuse.org.uk](mailto:enquiries@elderabuse.org.uk) [www.elderabuse.org.uk](http://www.elderabuse.org.uk)

### Ann Craft Trust (ACT)

A national organisation providing information and advice about adult safeguarding. ACT have a specialist Safeguarding Adults in Sport and Activity team to support the sector  
Tel: 0115 951 5400  
Email: [Ann-Craft-Trust@nottingham.ac.uk](mailto:Ann-Craft-Trust@nottingham.ac.uk)  
[www.anncrafttrust.org](http://www.anncrafttrust.org)

### Men's Advice Line

For male domestic abuse survivors  
Tel: 0808 801 0327

**National LGBT+ Domestic Abuse Helpline** Tel: 0800 999 5428

### National 24Hour Freephone Domestic Abuse Helplines

England	Northern Ireland
Tel: 0808 2000 247 <a href="http://www.nationaldahelpline.org.uk/Contact-us">www.nationaldahelpline.org.uk/Contact-us</a>	Tel: 0808 802 1414 <a href="http://www.dsahelpline.org">www.dsahelpline.org</a> Twitter: <a href="https://www.twitter.com/dsahelpline">www.twitter.com/dsahelpline</a> Facebook: <a href="https://www.facebook.com/dsahelpline">www.facebook.com/dsahelpline</a>
Scotland	Wales
Tel: 0800 027 1234 Email: <a href="mailto:helpline@sdafmh.org.uk">helpline@sdafmh.org.uk</a> Web chat: <a href="http://sdafmh.org.uk">sdafmh.org.uk</a>	Llinell Gymorth Byw HebOfn/ Live free from fear helpline Tel: 0808 8010 800 Type Talk: 18001 0808 801 0800 Text: 078600 77 333

### Rape Crisis Federation of England and Wales

Rape Crisis was launched in 1996 and exists to provide a range of facilities and resources to enable the continuance and development of Rape Crisis Groups throughout Wales and England.  
Email: [info@rapecrisis.co.uk](mailto:info@rapecrisis.co.uk) [www.rapecrisis.co.uk](http://www.rapecrisis.co.uk)


### Respond

Respond provides a range of services to victims and perpetrators of sexual abuse who have learning disabilities, and training and support to those working with them.  
Tel: 020 7383 0700 or  
0808 808 0700 (Helpline) Email: [services@respond.org.uk](mailto:services@respond.org.uk) [www.respond.org.uk](http://www.respond.org.uk)

### Stop Hate Crime

Works to challenge all forms of Hate Crime and discrimination, based on any aspect of an individual's identity. Stop Hate UK provides independent, confidential and accessible reporting and support for victims, witnesses and third parties.  
24 hours service:  
Telephone: 0800 138 1625  
Web Chat: [www.stophateuk.org/talk-to-us/](http://www.stophateuk.org/talk-to-us/)

E mail: [talk@stophateuk.org](mailto:talk@stophateuk.org)

Text: 07717 989 025  Text relay: 18001 0800 138 1625  By post: PO Box 851, Leeds LS1 9QS

### **Susy Lamplugh Trust**

The Trust is a leading authority on personal safety. Its role is to minimise the damage caused to individuals and to society by aggression in all its forms – physical, verbal and psychological.

Tel: 020 83921839  Fax: 020 8392

1830  Email: [info@suzylamplugh.org](mailto:info@suzylamplugh.org)  [www.suzylamplugh.org](http://www.suzylamplugh.org)

### **Victim Support**

Provides practical advice and help, emotional support and reassurance to those who have suffered the effects of a crime.

Tel: 0808 168 9111

[www.victimsupport.com](http://www.victimsupport.com)

### **Women's Aid Federation of England and Wales**

Women's Aid is a national domestic violence charity. It also runs a domestic violence online help service.

[www.womensaid.org.uk/information-support](http://www.womensaid.org.uk/information-support)